

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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MINUTES
Residential Care Facility Advisory Council
Tuesday, November 7, 2006
Office of the State Fire Marshal, Sacramento, California

PRESENT:

Stephen Hart, Co-Chair, Office of the State Fire Marshal (SFM)
Edward J. Garza, Small Provider Alliance
Ken Rohde, Erickson Retirement Community
Greg Lake, Sacramento Metropolitan Fire Department
Charles Skoien, CRCAC
George Miller, CRCAC
Tricia Nishio, Department of Social Services (DSS)
Norberto Laboy-Brauer, Department of Social Services (DSS)
Rocque Yballa, California Fire Chiefs Association
John Avis, Department of Social Services (DSS)
Joe Rodrigues, Department of Aging (CDA)
Joe Garcia, Tulare County Fire
Thomas Stahl, Department of Social Services (DSS)
Kent Miller, NorCal Fire Prevention Officers (FPO)

ABSENT:

Ernie Paez, Chair, SFM
Senton Bunker, DSS
John Mongeau, DSS
Bob Gebel, LAAFM
Cristina Flores, Cristina's Care Homes
Cheryl Domnitch, P.E. Hughes and Associates
Sandi Flores, Small Provider Alliance
John Haverek, SoCal FPO

STAFF:

Steve Guarino, SFM
Vikkie Raby, SFM
Ben Ho, SFM

I. CALL TO ORDER

Steve Hart, Co-Chair, called the meeting to order at 1000 hours at the Office of the State Fire Marshal (OSFM) Headquarters, 1131 S Street, Sacramento, California.

II. INTRODUCTIONS

Each attendee gave a brief description of their background and the organization they represent.

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III. APPROVAL OF MINUTES

Copies of the minutes from the August 8, 2006, meeting were distributed.

Action: Kent Miller made a motion to approve; Greg Lake 2nd; all in favor, none opposed; motion carried.

IV. GENERAL DISCUSSION:

1. Steve distributed a master copy of the draft member roster for review. All attendees were asked to review their information for accuracy and make any changes necessary.
2. Copies of the Committee Purpose were distributed for review and approval. Joe Garcia suggested adding a third bullet point under Goal #2 regarding regulatory elements. Joe Garcia suggested having the SFM participate in training for FPOs as one of the committee goals. Chuck Skoien suggested that a rough timeline for response for the SFM on code interpretations be set. Steve reminded everyone that this committee acts as advisory to SFM only, and while we can request a timeline be set, the final say-so is strictly up to the SFM.
3. Chuck Skoien mentioned a case that he is currently handling and asked for any options that the facilities might have when a local jurisdiction is taking an excessive amount of time in providing a code interpretation. A discussion on this matter ensued, and a draft matrix was developed. Steve will be distributing copies via email to members. It was mentioned that it takes approximately 60-120 days to receive a formal response for code interpretation from SFM. However, it was pointed out that it may be possible to get verbal clarification on codes via telephone within 24-48 hours. (Please note that a verbal clarification is not a formal interpretation in the eyes of the law.) There is also the option to submit the question to the SFM, who can then take the issue to the Attorney General (AG) for an opinion. This process is rather lengthy, and again, the AG can only offer an opinion, and the final interpretation is up to the SFM. Steve asked that both DSS and SFM provide copies of their Code Interpretation Policies and Procedures at the next meeting for the committee to review. The committee will then attempt to come up with a reasonable compromise that will then be presented to the SFM as a suggestion for streamlining the process.
4. There was a discussion regarding whether Ernie Paez should continue as Chair, or if the committee would like to elect someone else to act as the Chair. A consensus was reached that Ernie should remain as Chair until the committee gets further along.

Action: Kent Miller made a motion to keep Ernie Paez as Committee Chair; Joe Garcia 2nd; all in favor, none opposed; motion carried.

5. Copies of the currently posted code interpretations regarding Residential Care Facilities (RCF) were distributed. Steve asked that everyone review the code interpretations and bring any questions or concerns to the next meeting.

Action: Consensus reached to move this item to the next meeting agenda.

6. A roundtable discussion was held to determine items that should be on the agenda for the next meeting. It was decided that the following items should be included:
 - A discussion to identify key players who do not currently have a representative on the committee.
 - To identify problems that should be addressed by the committee. Those problems would then be categorized and prioritized.
 - Clarification of definitions regarding Non-ambulatory vs. Bedridden.

V. SET MEETING DATE(S)

In accordance with the decision to meet quarterly, the next meeting will be in the month of February, with the actual date to be announced at a later time by Ernie Paez

VI. MEETING ADJOURNMENT

Steve Hart closed the meeting at 1235 hours. A notice will be sent out with the date and time of the next meeting.